

JUE 9 2004

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

David E. Holliday, Lt. Col., CM, USA Commander

Don E. Barclay
UMCDF Site Project Manager

Douglas G. Hamrick Washington Demilitarization Company Project General Manager Umatilla Chemical Agent Disposal Facility 78072 Ordnance Road Hermiston, Oregon 97838

Gentlemen:

This is in response to your letter dated May 27, 2004, notifying the Environmental Protection Agency (EPA) of your preparation to begin chemical agent M55 rocket disposal operations on July 17, 2004. The M55 rockets contain PCBs regulated for disposal under the Toxic Substance Control Act (TSCA). Conditions 1.a and 1.b of the National PCB Disposal Approval, issued June 6, 2002, require each chemical agent disposal facility designated in that approval to provide certain information to EPA prior to receiving authorization to proceed with PCB disposal operations. On June 22, 2004, NPCD did receive electronic copies of Congressional notifications to the President of the Senate, Speaker of the House, Congressional defense committees and Oregon Congressional delegations as required by the approval. Therefore, by this letter, the National Program Chemicals Division of EPA hereby authorizes Umatilla Chemical Agent Disposal Facility to begin PCB disposal operations on July 17, 2004.

Please contact Hiroshi Dodohara, at (202) 566-0507, for any technical questions regarding this correspondence.

Sincerely,

Maria J. Doa, Ph. D., Director



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Maria J. Doa, Ph. D., Director



DEPARTMENT OF THE ARMY

US ARMY CHEMICAL MATERIALS AGENCY UMATILLA CHEMICAL AGENT DISPOSAL FACILITY 78072 ORDNANCE ROAD HERMISTON, OREGON 97838

MAY 2 7 2004

Program Manager for the Elimination of Chemical Weapons

ENV-04-0146

SUBJECT: Umatilla Chemical Agent Disposal Facility (UMCDF) Toxic Substance Control Act (TSCA) Permit – Polychlorinated Biphenyl (PCB) Disposal Approval, Prior Written Notice for Conducting a Permitted Disposal Activity and Request for Authorized Operations

Maria J. Doa, Director National Programs Chemical Division MC 7404, EPA East Building, Room 4355A 1201 Constitution Avenue Washington DC 20004

Dear Ms. Doa:

Please find enclosed the UMCDF's prior written notice to dispose of PCBs as required per Condition 1.a. of the TSCA PCB Disposal Approval (Enclosure 1). Additionally, enclosed is the Environmental Protection Agency (EPA) "Notification of PCB Activity" form (Enclosure 2). The enclosed information reflects the UMCDF will be prepared to begin agent operations (M55 rocket disposal) on July 17, 2004. A final determination to begin agent operations will be made by the Army in consultation with the Department of Defense, the Oregon Department of Environmental Quality, and the Oregon Environmental Quality Commission.

This letter also serves to formally request the EPA National Programs Chemical Division's (NPCD) written authorization as described in Condition 1.c., Authorized Operations, to begin M55 rocket disposal operations with firing tubes containing 50 ppm PCBs or greater in the UMCDF Deactivation Furnace System. Enclosure 3 contains a memorandum, from the Assistant Secretary of the Army to the Defense Acquisition Executive, providing the Army concurrence to proceed with Congressional notification for the start of destruction operations at the UMCDF. This Congressional formal notification will occur no later than 30-days prior to the start of agent operations. Therefore, it is expected this formal notification will occur mid-June, at which time the Permittees will provide this notification to your office. The Permittees respectfully request the EPA NPCD expeditiously provide written authorization upon receipt of the Congressional formal notification.

If you have any questions, please call our technical point of contact, Mr. Michael Strong, (541) 564-7058.

Sincerely,

and of Signature:

Lieutenant Colonel, CM, USA

Commander

*CERTIFICATION STATEMENT

Date of Signature:

Don E. Barclay
UMCDF Site
Project Manager
*certification statement

Date of Signature:

Douglas G. Hamrick Washington Demilitarization Company

Project General Manager *certification statement

Enclosure

^{*}I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION ACCORDING TO A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

Copies Furnished:

- Ms. Cathy Massimino (WCM-127), U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101
- Mr. Hiroshi Dodohara, U.S. Environmental Protection Agency, Fibers and Organics Branch, MC 7404T, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington D.C. 20460
- Mr. Dan Duncan, U.S. EPA, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101
- Mr. Dennis Murphey, Oregon Department of Environmental Quality, 256 East Hurlburt Avenue, Suite 105, Hermiston, Oregon 97838

Enclosure 1

TSCA Approval Condition 1.a.(2): Required Information for the 30-day Prior Written Notice

UMCDF Prior Written Notice for Conducting a Permitted PCB Disposal Activity Condition 1.a.(2) of the TSCA Approval

Condition	TSCA Approval Text	Required Information		
1.a.(2)A	DFS Facility Name and	Umatilla Chemical Agent Disposal Facility		
,	Phone Number	(541) 564-7051 (UMCDF Site Project Manager, PM ECW)		
1.a.(2)B	Names, titles, addresses, and telephone numbers of the addressees required to be notified in paragraph b	(541) 564-7051 (UMCDF Site Project Manager, PM ECW) Dr. Maria J. Doa, Director National Programs Chemical Division MC 7404, EPA East Building, Room 4355A 1201 Constitution Avenue Washington DC 20004 (202) 566-0500 EPA Headquarters Office of Pollution Prevention and Toxics (Mail code 7404T) 1200 Pennsylvania Avenue, Northwest Washington D.C. 20460 Attn: Hiroshi Dodohara (202) 566-0507 EPA Region X 1200 Sixth Avenue Seattle, Washington 98101 Attn: Ms. Cathy Massimino (WCM-127) (206) 553-4153 EPA Region X 1200 Sixth Avenue Seattle, Washington 98101 Attn: Mr. Dan Duncan (206) 553-6693 Oregon Department of Environmental Quality 256 East Hurlburt Avenue, Suite 105 Hermiston, Oregon 97838 Attn: Mr. Dennis Murphey		

1 of 3

Condition TSCA Approval Text 1.a.(2)C Estimates of the amount and type of PCB (Arcolar, etc.) to be treated and estimates of the concentration of PCBs in the material. Required Information Type of PCB to be treated: Arochlor 1254 Estimated PCB concentration in PCB article Chopped rocket tubes: 25 ppm¹(no	
and type of PCB (Arcolar, etc.) to be treated and estimates of the concentration of Type of PCB to be treated: Arochlor 1254 Estimated PCB concentration in PCB article	
treated and estimates of the concentration of Estimated PCB concentration in PCB article	
the concentration of	
the concentration of PCPs in the meterial PCPs in t	<u> 23</u> ,
	t regulated)
	(Togaratoa)
The estimates shall be Matted rocket tubes: 2,800 ppm based on analytical data Matted/coated rocket tubes: 6,441	nnm¹
from a representative • Umatilla Chemical Depot (UMCD)	Secondary Waste:
sample of the material This waste consists of a mixture of	the tube types
to be disposed of and/or identified above stored with variou	is dunnage (i.e.
historic analytical data wood, paper). Therefore the estima	ated concentration
from similar material will be what is identified above for	the various tubes
types.	
Estimated quantities of the PCBs to be treat	ated in the DFS are
based upon the United States Army Environ Report titled, "Assessment of the Occupation	miemai riygiene mal Health
Environmental and Regulatory Impact of Po	olychlorinated
Biphenyls (PCBs) Contained in the M441 S	Shipping and Firing
Tube (USAEHA Project No. 37-26-1345-8	6)".
	•
Estimate of the amount to be treated:	
• Total estimate of the amount in roo	cket shipping and
firing tubes: 3,496 kg ²	MCD accordance
• Total estimate of the amount in Unwaste ³ :	VICD Secondary
l. Tubes only: 2kg	
2. Mixed waste (tubes and constitution)	dunnage): 16kg
² Estimate of the amount of PCB to be treated	ed is based on worse
case scenario, since at this time the UMCD	F does not have a
definite count for the number of chopped, r	natted, and
matted/coated rocket tubes. The amount to	
determined by using the following calculate	юп:
Total number of GB and VX rockets (105,	965) (x) weight of
the rocket tube (13.73 lbs.) (x) worse case	scenario for PCB
concentration (6,441 ppm) = 3,496 kg	
³ Estimate of the amount of PCB in UMCD	secondary waste is
based on worse case scenario, since at this	time the UMCD
does not have a definite count of the tube t	ypes stored with the
mixed dunnage. The amount to be treated	was determined by
using the following calculation:	
1. Tubes only: Total number of tube	es (71) (x) weight of
rocket tube (13.73) (x) worse case	e scenario for PCB
concentration (6.441 ppm) = 2 kg	
2. Mixed waste: Total weight of the	mixed waste
(6.663 lbs) (x) worse case scenarion	io for PCB
concentration (6.441 ppm) = 16 k	

Condition	TSCA Approval Text	Required Information
1.a.(2)D	The time(s) and date(s) the PCB disposal activity is scheduled to take place	Based on the current UMCDF schedule, the dates for processing PCBs, which are contained in the rocket shipping and firing tubes, are: GB Rocket Campaign: 17 July 2004 - 20 Feb 2006 VX Rocket Campaign: 12 July 2006 - 29 October 2006
		Based on the current UMCDF schedule, the dates for processing PCBs, which are contained in UMCD secondary waste, are: • The treatment of UMCD PCB contaminated secondary waste is estimated to occur following the campaigns identified above for GB and VX rockets.

3 of 3

Enclosure 2

EPA "Notification of PCB Activity" Form

USEPA

United States Environmental Protection Agency Washington, DC 20460

Form Approved OMB No. 2070-0112

Notification of PCB Activity				
		······································	For Official U	se Only
Return To:			<u></u>	
Fibers & Organics Branch (7404T) Office of Pollution Prevention & Toxics U.S. Environmental Protection Agency 1200 Pennsylvania Ave., N.W. Washington, DC 20460-0001				
Name of Facility	Name of Owner Facility			cation Number (if already assigned under RCRA)
Umatilla Chemical Agent Disposal	U.S. Army Umatilla Chemical De Project Manager for Chemical S	pot and tockpite Disposal	ORQ 000 009 4	431
Facility 3. Facility Mailing Address (Street or PO F				
78072 Ordnance Road Hermiston, Oregon 97838		78072 Ordnanc Hermiston, Oreç		
5. Installation Contact (Name and Title)				in appropriate box. See Instruction B. Storer (Commercial)
Don E. Barclay UMCDF Site Project Manager		A. Generator w/ons	ite storage facility	D. R&D/Treatability
Telephone Number (Area Code and Number)		C. Transporter E. Approved Dispo	oser	F. Scrap Metal Recovery Oven/Smelt
(541) 564-7051				High Efficiency Boilers
7. Certification				
Under civil and criminal pena or representations (18 U.S.C. accompanying this document document for which I cannot supervisory responsibility for that this information is true, a	1001 and 15 U.S.C. 20 is true, accurate, and opersonally verify truth the persons who, actin	on the state of th	nat the inform the identified I certify as a	nation contained in or ed section(s) of this company official having
Signature Menhal Mg	Don E. Barcla	icial Title (Type of I ly Project Manager	Print)	Date Signed 5 27 04
	Paperwork Re	duction Act No	tice	
The annual public burden for	*	rmation is estir	nated to aver	age 1.5 hours per ng data sources,

The annual public burden for this collection of information is estimated to average 1.5 hours per response. This estimate includes time for reading instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing collection of information, including suggestions for reducing the burden to: Director, Collection Strategies Division, U.S. Environmental Protection Agency (mail code 2822), 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460-0001. Include the OMB number identified above in any correspondence. Do not send the completed form to this address. The actual information or form should be submitted in accordance with the instructions accompanying the form, or as specified in the corresponding regulations.

Enclosure 3

The Assistant Secretary of the Army's Concurrence to Proceed with the Congressional Notification for Destruction Operations at the UMCDF



DEPARTMENT OF THE ARMY OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY ACQUISITION LOGISTICS AND TECHNOLOGY 103 ARMY PENTAGON WASHINGTON DC 20310-0103 0 3 MAY 2004

SAAL-ZC

MEMORANDUM FOR DEFENSE ACQUISITION EXECUTIVE

SUBJECT: Congressional Notification of the Start of Destruction Operations at the Umatilla Chemical Agent Disposal Facility (UMCDF)—ACTION MEMORANDUM

This memorandum provides Army concurrence to proceed with the notification to the President of the Senate, the Speaker of the House, and the Defense Committees of the Army's intent to begin destruction operations at the Umatilla Chemical Agent Disposal Facility (UMCDF).

The Program Manager for the Elimination of Chemical Weapons (PM ECW) has provided notice to Headquarters, Department of the Army of meeting the necessary requirements to begin disposal operations at the UMCDF no earlier than July 17, 2004.

In accordance with Title 50 United States Code Section 1512, notification must be provided to the President of the Senate and the Speaker of the House at least 30 days prior to the start of these operations.

This action has been coordinated with OGC, OCLL, ASA(FM), AMC, G-3, G-8, OCPA, DASA(ESOH), and CMA.

I concur with proceeding with Congressional notification of the planned start up of operations at the Umatilla Chemical Agent Disposal Facility as indicated by my signature (Enclosure). Recommend forwarding the proposed letters for SECDEF signature.

Claude M. Bolton, Jr.
Assistant Secretary of the Army
(Acquisition, Logistics and Technology)

Enclosure

TAB D Coordination Sheet

SUBJECT: Congressional Notification of the Start of Operations at the Umatilla Chemical Agent Disposal Facility

Army	Claude M. Bolton	
General Counsel		_
Legislative Affairs	<u> </u>	
Public Affairs		



DEPARTMENT OF THE ARMY OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY ACQUISITION LOGISTICS AND TECHNOLOGY 103 ARMY PENTAGON WASHINGTON DC 20310-0103

-0 3 MAY 2004

SAAL-ZC

MEMORANDUM FOR THE ACTING SECRETARY OF THE ARMY

SUBJECT: Notification Letters Regarding The Planned Start up of Destruction Operations at the Umatilla Chemical Agent Destruction Facility—INFORMATION MEMORANDUM

- 1. In accordance with Section 1512 of Title 50 of the United States Code, several requirements must be completed by the Department of Defense prior to the planned destruction of chemical warfare agent or munitions in the United States (Tab A). These requirements are as follows:
- a. The Secretary of Defense has brought the particulars of the planned operations to the attention of the Secretary of Health and Human Services.
- b. The Secretary of Defense implements any precautionary measures recommended by the Secretary of Health and Human Services.
- c. The Secretary of Defense provides notification to the President of the Senate and the Speaker of the House of Representatives thirty days prior to the commencement of such operations.
- 2. The program office has been working closely with the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) and will implement any precautionary measures that the CDC recommends in conjunction with the upcoming operational readiness review for the Umatilla facility. The Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, has prepared notification letters to address the third requirement. In response to a request by that office, I recently provided Army-level coordination on the notification package.
- 3. In early June, the Commanding General, Army Materiel Command and I will review the proposed operations plan and approach and at that time approve the planned start of operations if warranted. The start up of destruction operations will commence no earlier than thirty days after the notification is transmitted to Congress.

Claude M. Bolton, Jr.
Assistant Secretary of the Army
(Acquisition, Logistics and Technology)

Enclosure

Sec. 1512. - Transportation, open air testing, and disposal; Presidential determination; report to Congress; notice to Congress and State Governors

None of the funds authorized to be appropriated by this Act or any other Act may be used for the transportation of any lethal chemical or any biological warfare agent to or from any military installation in the United States, or the open air testing of any such agent within the United States, or the disposal of any such agent within the United States until the following procedures have been implemented:

(1)

the Secretary of Defense (hereafter referred to in this chapter as the "Secretary") has determined that the transportation or testing proposed to be made is necessary in the interests of national security;

(2)

the Secretary has brought the particulars of the proposed transportation, testing, or disposal to the attention of the Secretary of Health and Human Services, who in turn may direct the Surgeon General of the Public Health Service and other qualified persons to review such particulars with respect to any hazards to public health and safety which such transportation, testing, or disposal may pose and to recommend what precautionary measures are necessary to protect the public health and safety;

(3)

the Secretary has implemented any precautionary measures recommended in accordance with paragraph (2) above (including, where practicable, the detoxification of any such agent, if such agent is to be transported to or from a military installation for disposal): Provided, however, That in the event the Secretary finds the recommendation submitted by the Surgeon General would have the effect of preventing the proposed transportation, testing, or disposal, the President may determine that overriding considerations of national security require such transportation, testing, or disposal be conducted. Any transportation, testing, or disposal conducted pursuant to such a Presidential determination shall be carried out in the safest practicable manner, and the President shall report his determination and an explanation thereof to the President of the Senate and the Speaker of the House of Representatives as far in advance as practicable; and

(4)

the Secretary has provided notification that the transportation, testing, or disposal will take place, except where a Presidential determination has been made:

(A)

to the President of the Senate and the Speaker of the House of Representatives at least 10 days before any such transportation

will be commenced and at least 30 days before any such testing or disposal will be commenced;

(B)

to the Governor of any State through which such agents will be transported, such notification to be provided appropriately in advance of any such transportation

JUN 17 2004

The Honorable Ted Stevens Chairman Subcommittee on Defense Committee on Appropriations United States Senate Washington, DC 20510-0201

Dear Mr. Chairman:

As required by 50 U.S.C. Section 1512, I am informing you that the Department of Defense (DoD) anticipates it will be prepared to commence chemical agent destruction operations at the Umatilla Chemical Agent Disposal Facility (UMCDF) in Hermiston, Oregon no earlier than 30 days after the date of this memorandum.

The DoD is committed to accomplishing the chemical agent destruction mission in a safe and environmentally sound manner. A similar letter has been provided to the President of the Senate, Speaker of the House, the Oregon Congressional delegation, and the other Congressional defense committees.

Sincerely,

Taul Wolfguite

cc:

The Honorable Daniel K. Inouye Ranking Member



JUN 17 2004

The Honorable Duncan Hunter Chairman Committee on Armed Services U.S. House of Representatives Washington, DC 20515-0552

Dear Mr. Chairman:

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cc:

The Honorable Ike Skelton Ranking Member

O

To the state of th

DEPUTY SECRETARY OF DEFENSE 1010 DEFENSE PENTAGON WASHINGTON, DC 20301-1010

JUN 17 2004

The Honorable Jerry Lewis Chairman Subcommittee on Defense Committee on Appropriations U.S. House of Representatives Washington, DC 20515-0541

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Taul Wolfguite

cc:

The Honorable John P. Murtha Ranking Member



JUN 17 2004

The Honorable Gordon Smith United States Senate Washington, DC 20510-3704.

Dear Senator Smith:

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Taul Wolfguite





JUN 17 2004

The Honorable Ron Wyden United States Senate Washington, DC 20510-3703

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Sincerely,

Taul Wolfguite



JUN 17 2004

The Honorable Greg Walden United States House of Representatives Washington, DC 20515-3702

Dear Representative Walden:

As required by 50 U.S.C. Section 1512, I am informing you that the Department of Defense (DoD) anticipates it will be prepared to commence chemical agent destruction operations at the Umatilla Chemical Agent Disposal Facility (UMCDF) in Hermiston, Oregon no earlier than 30 days after the date of this memorandum.

The DoD is committed to accomplishing the chemical agent destruction mission in a safe and environmentally sound manner. A similar letter has been provided to the President of the Senate, Speaker of the House, the Congressional defense committees, and the other members of the Oregon Congressional delegation.

Sincerely,

Taul Wolfguite



JUN 17 2004

The Honorable Richard B. Cheney President of the Senate 285 Eisenhower Executive Office Building Washington, DC 20501

Dear Mr. President:

As required by 50 U.S.C. Section 1512, I am informing you that the Department of Defense (DoD) anticipates it will be prepared to commence chemical agent destruction operations at the Umatilla Chemical Agent Disposal Facility (UMCDF) in Hermiston, Oregon no earlier than 30 days after the date of this memorandum.

The DoD is committed to accomplishing the chemical agent destruction mission in a safe and environmentally sound manner. A similar letter has been provided to the Speaker of the House, the Congressional defense committees, and the Oregon Congressional delegation.

Sincerely,

Toul Wolfgunte



JUN 17 2004

The Honorable John W. Warner Chairman Committee on Armed Services United States Senate Washington, DC 20510-4601

Dear Mr. Chairman:

As required by 50 U.S.C. Section 1512, I am informing you that the Department of Defense (DoD) anticipates it will be prepared to commence chemical agent destruction operations at the Umatilla Chemical Agent Disposal Facility (UMCDF) in Hermiston, Oregon no earlier than 30 days after the date of this memorandum.

The DoD is committed to accomplishing the chemical agent destruction mission in a safe and environmentally sound manner. A similar letter has been provided to the President of the Senate, Speaker of the House, the Oregon Congressional delegation, and the other Congressional defense committees.

Sincerely.

Tail Wolfguite_

cc:

The Honorable Carl Levin Ranking Member





JUN 17 2004

The Honorable J. Dennis Hastert Speaker of the House of Representatives U.S. House of Representatives Washington, DC 20515-1314

Dear Mr. Speaker:

As required by 50 U.S.C. Section 1512, I am informing you that the Department of Defense (DoD) anticipates it will be prepared to commence chemical agent destruction operations at the Umatilla Chemical Agent Disposal Facility (UMCDF) in Hermiston, Oregon no earlier than 30 days after the date of this memorandum.

The DoD is committed to accomplishing the chemical agent destruction mission in a safe and environmentally sound manner. A similar letter has been provided to the President of the Senate, the Congressional defense committees, and the Oregon Congressional delegation.

Sincerely,

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